

MAIL STOP PCT

Attorney Docket: 26445U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Group Art Unit: Unknown

FLOCKERZI

Examiner: Unknown

Serial Number: 10/524,638

International Application No.: PCT/EP2003/008996

Filing Date: February 16, 2005

International Filing Date: August 13, 2003

Title: **NOVEL BENZONAPHTHYRIDINES**

TRANSMITTAL LETTER

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Information Disclosure Statement;
- (3) PTO Form 1449 with 13 (thirteen) cited References;
- (4) Copies of 8 (eight) cited References.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account Number 14-0112.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: April 28, 2005

By: 

NATH & ASSOCIATES PLLC
1030 15th Street N.W., 6th Floor
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Gary M. Nath
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Sheldon M. McGee
Registration Number 50,454
Customer Number 34375

GMN/SMM/le

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

[~~XXX~~] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.

The enclosed statement is accompanied by [check one]:

[] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or

[] ii. a check in the amount required by 37 C.F.R. 1.17(p).

[] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

[] Certification report(e) below; and

[] a check in the amount as required by 1.17(p).

[] d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

[] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[] Appropriate certification is attached.

[XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[XXX] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

or

[XXX] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

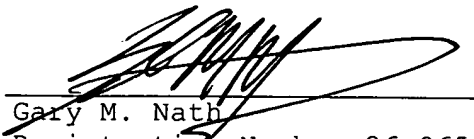
Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: April 28, 2005

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FORM PTO-1449 INFORMATION DISCLOSURE CITATION		Attorney Docket: 26445U Inventor: FLOCKERZI	Serial Number: 10/524,638 Filing Date: February 16, 2005 Group Art Unit: Unknown
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U.S. PATENT DOCUMENTS							
Examiner Initial	Document Number	Issue Date	Name	Class	Sub-Class	Filing Date	
A1	2004-0097537 A1 (corresponds to WO 02/066476 A1)	20 May 2004	Flockerzi			21 Feb. 2002	
A2	6,306,869 B1 (corresponds to WO 99/57118 A1)	23 Oct. 2001	Flockerzi			27 Apr. 1999	
A3	6,143,759 A (corresponds to WO 98/40382 A1)	07 Nov. 2000	Flockerzi			03 Mar. 1998	
A4	6,008,215 A (corresponds to WO 98/21208 A1)	28 Dec. 1999	Flockerzi			05 Nov. 1997	
A5	6,436,952 B1 (corresponds to WO 00/12501 A1)	20 Aug. 2002	Flockerzi			21 Aug. 1999	
A6							

FOREIGN PATENT DOCUMENTS							
Document Number	Date	Country	Class	Sub-Class	Translation		
A7	0 490 823 B1	13 Nov. 1996	EP		N/A		
A8	1 270 577 A1	02 Jan. 2003	EP		N/A		
A9	02/066476 A1	29 Aug. 2002	WO		N/A		
A10	99/57118 A1	11 Nov. 1999	WO		Abstract		
A11	98/40382 A1	17 Sep. 1998	WO		N/A		
A12	98/21208 A1	22 May 1998	WO		N/A		
A13	00/12501 A1	09 Mar. 2000	WO		Abstract		
A14	2004/018431 A2	04 Mar. 2004	WO		N/A		
A15							
A16							

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)		
A17		
A18		
A19		
A20		
A21		
A22		
A23		
A24		
A25		

Examiner	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.